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April 8, 2022

Via Electronic Filing
Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
50 Walnut Street
Newark, NJ 07102

**Re: East Brunswick Board of Education v. D.S. and M.S. o/b/o A.S.
Case No.: 2:21-cv-08279-BRM-JSA**

Dear Judge Martinotti:

In connection with the above referenced case, as you know, I represent the Defendants who, after a full special education due process hearing, on January 5, 2021, obtained a favorable decision by ALJ Crowley. The district thereafter filed an appeal complaint in this Court. There have been various motions and Orders to Show Cause regarding enforcement of ALJ Crowley's and Your Honor's Order. A settlement conference took place on April 1, 2022, before Magistrate Allen, and was unsuccessful.

On February 3, 2022, counsel for the plaintiff district filed a Certification, ECF No 47, affirming that the plaintiff intends to rely only upon the administrative record for purposes of its appeal. On April 1, 2022, a Text Order was entered on the docket confirming that discovery in the case is complete.

Based upon the foregoing, the case is now ripe for summary judgment for a modified de novo review and the defendants wish to file a motion in that regard. Pursuant to the Pretrial Discovery Order, ECF No. 21, dated September 9, 2021, Paragraph 15:

No motions are to be filed without prior written permission from this Court. All dispositive motions must first be subject to a dispositive motion pre-hearing. Discovery must be completed prior to the filing of a dispositive

motion. These prerequisites must be met before any motions are filed and the motions will be returned if not met. All calendar or dispositive motions, if permitted, shall comply with Local Civil Rules 7.1(b) and 56.1.

Defendants respectfully request permission to file our motion for summary judgment using the modified de novo standard.

Thank you for your attention and courtesies in this matter.

Respectfully submitted,
WARSHAW LAW FIRM, LLC

By: /s/ JulieWarshaw, Esq.
Julie Warshaw, Esq.

cc: Jodi S. Howlett., Esq. (Via Email)
D.S. and M.S. (Via Email)